

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IBRAHIM SORIE BAH <i>Petitioner pro se</i>	:	CIVIL ACTION
	:	
	:	
v.	:	NO. 20-4107
THE DISTRICT ATTORNEY OF THE COUNTY OF, <i>et al.</i>, <i>Respondents</i>	:	
	:	
	:	

O R D E R

AND NOW, this 30th day of December 2020, upon consideration of the Report and Recommendation issued by United States Magistrate Judge Marilyn Heffley, [ECF 9], to which no objections were filed by Petitioner Ibrahim Sorie Bah (“Petitioner”), and after a careful and independent review of the record, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;¹
2. The *petition for a writ of habeas corpus* is **DISMISSED**, with prejudice, without an evidentiary hearing;
3. There is no probable cause to issue a certificate of appealability; and
4. The Clerk of Court shall mark this matter **CLOSED**.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro

NITZA I. QUIÑONES ALEJANDRO

Judge, United States District Court

¹ On October 29, 2020, Magistrate Judge Heffley issued a Report and Recommendation (“R&R”), recommending that the writ of *habeas corpus* petition, in which Petitioner asserts claims that trial counsel was ineffective, be denied. [ECF 9]. Thereafter, Petitioner filed a reply to Respondent’s opposition, [ECF 11], but has yet to file any objections to the R&R, and the time to do so has expired. In the absence of any objections, the R&R is reviewed under the “plain error” standard. *See Facyson v. Barnhart*, 2003 WL 22436274, at *2 (E.D. Pa. May 30, 2003). Under this plain error standard of review, an R&R should only be rejected if the magistrate judge commits an error that was “(1) clear or obvious, (2) affect[ed] substantial rights, and (3) seriously affected the fairness, integrity or public reputation of judicial proceedings.” *Leyva v. Williams*, 504 F.3d 357, 363 (3d Cir. 2007) (internal quotations and citations omitted). Here, after a thorough independent review of the record and the R&R, this Court finds no error was committed by the Magistrate Judge and, therefore, approves and adopts the R&R in its entirety.